

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STEVEN CABRAL,

Plaintiff,

v.

STONE CONTAINER
CORPORATION,

Defendant.

SEP 16 3:16

U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No.

04-11961 MEL

MAGISTRATE JUDGE *Bowler*

RECEIPT # _____
AMOUNT \$ 150-
SUMMONS ISSUED _____
LOCAL RULE 4.1 _____
WAIVER FORM _____
MCF ISSUED _____
BY DPTY. CLK. *ef*
DATE 9-9-04

NOTICE OF REMOVAL

TO: The Honorable Chief and Judges
of the United States District Court


Pursuant to 28 U.S.C. § 1441, the Defendant, Stone Container Corporation ("Stone"), hereby files this Notice of Removal of this action from the Plymouth Superior Court to the United States District Court for the District of Massachusetts. As grounds for this Notice of Removal, Stone states the following:

1. The Plaintiff, Steven Cabral, filed Civil Action No. PLCV2004-01024 in the Plymouth Superior Court on August 18, 2004.
2. In accordance with 28 U.S.C. § 1446(b), this Notice is being filed within thirty (30) days of receipt by Stone of the initial pleading setting forth the claim for relief upon which the action is based.
3. Pursuant to 28 U.S.C. § 1332, the United States District Court for the District of Massachusetts has original jurisdiction over this matter because:
 - a. According to the Civil Action Cover Sheet filed by the Plaintiff, the amount in controversy exceeds \$75,000.00; and

- b. Complete diversity of citizenship exists because the Plaintiff is a resident of Plymouth, Massachusetts and Stone is a Delaware corporation with a principal place of business in Chicago, Illinois.
4. Pursuant to 28 U.S.C. §1446, a copy of all process, pleadings and orders served upon St. Laurent is attached hereto.

WHEREFORE, Stone Container Corporation prays for removal of this action from the Plymouth Superior Court to the United States District Court for the District of Massachusetts.

The Defendant,
STONE CONTAINER CORPORATION,
By its attorneys,



Peter G. Hermes, BBO No. 231840
John R. Felice, BBO No. 644517
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Boston, MA 02109-5407
(617) 728-0050
(617) 728-0052 (F)


Dated: 9/9/04

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served by first class mail, postage prepaid, on the following counsel of record:

Amy M. Donovan, Esq.
Law Offices of Dane M. Shulman
25 Newport Avenue Extension, 1st Floor
North Quincy, MA 02171

Date: 9/9/04



John R. Felice